

EXHIBIT 5

UPDATE TO DISPUTE RESOLUTION PROGRAM

ROLL-OUT OF PROGRAM TO CURRENT EMPLOYEES

REQUIRED ACTIONS

1. Meet with your team to rollout updated dispute resolution program
2. Review Talking Points (below) with your team
3. Hand out Dispute Resolution program (with Acknowledgement stapled to on top)
4. Request and obtain signatures from all employees on acknowledgement forms.
 - Make a copy of the signed Acknowledgement page and provide it to the employee if the employee requests it.
 - If an employee refuses to sign the Acknowledgement for any reason, follow-up with them so that they know it is simply an acknowledgment reflecting they received the updated DR Program; it is not an Agreement. We just need to track who received the materials. Let them know if they still choose not to sign, you will notate on the Acknowledgment form that they received the updated Program. Let them know regardless of whether they sign, the updated Program applies to their employment effective immediately.
What to notate on the form: "On x date, I hand-delivered a copy of the updated DR Program to <employee name> who refused to sign this acknowledgment." Sign your name, print employee number, and date.
5. Record employee acknowledgement information on the report and return completed reports and signed acknowledgement forms to Human Resources.

The diagram shows a dashed rectangular box representing an Acknowledgement form. An arrow points from the text in item 5 of the 'REQUIRED ACTIONS' list to the bottom right corner of this box.

TALKING POINTS FOR DEPARTMENT MANAGERS

- You should have received the Program via mail back in June but we want to ensure you have the most current version
- The program has been updated for two main reasons:
 - to provide further clarification on what claims are covered by arbitration
 - to update the phone number
- We want to provide you a copy of an updated Dispute Resolution Program and emphasize how important the open door process is to the company
- The door is always open should you have any questions or concerns related to work; every employee should feel that their work-related concerns are heard and when appropriate acted upon; this Program ensures that happens, which means a better working relationship and stronger company all around
- For tracking purposes, I need you to sign this form acknowledging that you have received the new Program

QUESTIONS AND ANSWERS

- Q. Do I have to sign the Acknowledgement form?
- A. The Acknowledgement form simply acknowledges that you have received the Program information. If you choose not to sign the Acknowledgement form, HR will document that you have received the information. Regardless of whether you sign it, the updated Dispute Resolution Program applies to your employment effective immediately.
- Q. Why did you mail the program to me in June and you are now asking me to sign it?
- A. We wanted to mail it out pre-Anniversary so that we could reach the largest group possible; as a regular employee, we want to talk to you about the importance of the open door and ensure you have the most current version.
- Q. I have specific questions about the Program itself. Who can I talk to?
- A. HR is your best resource for any detailed or specific questions about the Dispute Resolution Program.

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DISPUTE RESOLUTION PROGRAM UPDATE/MEAL PERIOD WAIVER FOR HR ROLL-OUT TO CURRENT EMPLOYEES

KEY POINTS FOR HR:

- Open your store's tracking spreadsheet contained on the SharePoint
 - Sort the employee list by department number and print list
 - Print Department Manager Talking Points
 - Pull the packet of Dispute Resolution documents with the Employee Acknowledgment form stapled on top and ensure you have enough for each department manager (if you do not have enough, or your materials have not yet arrived, print the documents and staple the acknowledgement on top of the Dispute Resolution Program)
 - Pull the packet of Meal Period Waivers and ensure you have enough for each department manager to provide to their non-exempt employees
- Communicate the updated DR Program to Department Managers using the Talking Points and obtain their signed acknowledgements
- Communicate to Department Managers the need for them to deliver the same DR message to all of their employees **AND** an updated Meal Period Waiver to their non-exempt employees
- Department Managers use the Talking Points to deliver the message and materials to their teams
- **Dispute Resolution** - Every Manager and employee should sign the DR Acknowledgment form (it's an Acknowledgment of receipt of the Program; it is not an Agreement to the Program); the Program covers all employees effective immediately
- **Meal Period** - Every non-exempt employee (including non-exempt managers) should be delivered the Meal Period Waiver and given the option to sign it
- Department Managers complete their department's tracking spreadsheet and return it along with all signed forms to HR
- Access your store's tracking spreadsheet on the SharePoint using the link below and follow the instructions to track employees' signatures/any refusals to sign
- Connect with any regional employees physically located at your store to ensure they receive an updated DR Program
- Follow up with any employees who are on leave or otherwise out of the office during the rollout upon their return. Present the DR and Meal Period (if appropriate) information and obtain the necessary signatures. Send updated information to CPO for tracking.
- Replace all Dispute Resolution Programs in your supply of new hire and rehire kits with the updated version included in your printed materials.

DR Q&A'S FOR HR:

- Q. What to do if an employee refuses to sign the DR Acknowledgment?
- A. Follow-up with them so that they know it is simply an acknowledgment reflecting they received the updated DR Program; it is not an Agreement. We just need to track who received the materials. Let them know if they still choose not to sign, you will notate on the Acknowledgment form that they received the updated Program. Let them know regardless of whether they sign, the updated Program applies to their employment effective immediately.

What to notate on the form: "On x date, I hand-delivered a copy of the updated DR Program to <employee name> who refused to sign this acknowledgment." Sign your name, print employee number, and date.

MEAL PERIOD Q&A'S FOR HR:

- Q. Does this change our current practice of a Manager scheduling an employee for a meal period who is supposed to only be working 6 hours or less because they typically work a few minutes over 6?
- A. No; if we have reason to believe the employee will work greater than 6 hours, we need to schedule a meal period even if they signed the waiver. We should coach them on the need to work less than 6 (based on business need) but we should schedule a meal period if we think they may work longer.
- Q. If an employee previously signed the Meal Period Waiver, do they have to sign it again?
- Yes; the language within the Waiver has been updated; the main update is to make it clear to employees that they will not be scheduled for a meal period should they work a shift of 6 hours or less (unless they let us know otherwise).

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